

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION

Franklin Hagins, ) C/A No.: 1:11-2977-JFA-SVH  
Plaintiff, )  
vs. ) ORDER  
Mildred Rivera, Warden, )  
Defendant. )

This is an action seeking habeas corpus relief under 28 U.S.C. § 2241. Petitioner is a prisoner. Therefore, in the event that a limitations issue arises, Petitioner shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

By order issued on December 27, 2011, Petitioner was given a specific time frame in which to bring this case into proper form. Petitioner has complied with the court's Order, and this case is now in proper form.

Petitioner has paid the full filing fee (Receipt No. SCX400007384).

**TO THE CLERK OF COURT:**

The Clerk of Court shall not serve the § 2241 petition upon Respondent because the petition is subject to dismissal.

IT IS SO ORDERED.

Shiria V. Hodges

February 6, 2012  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge